

FILED  
U.S. DISTRICT COURT

2011 OCT 11 P 1:12

DISTRICT OF UTAH

BY: \_\_\_\_\_  
DEPUTY CLERK

My Name	Jesse Majors
Address	6649 South 5500 West
City, State, Zip	West Jordan, Utah 84081
Phone	801-360-6880
E-mail	<u>jessemajors@netscape.com</u>

I am the  Plaintiff Attorney for the Plaintiff and my Utah Bar number is \_\_\_\_\_

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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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JESSE ANNE MAJORS	)	<b>ADDENDUM TO PLAINTIFF'S PROOF OF SERVICE OF SUMMONS AND COMPLAINT</b>
vs.	)	<b>MOTION FOR ORDER DECLARING ALL DEFENDANTS PROPERLY SERVED</b>
THOMAS JEFFERSON SCHOOL OF LAW, et al.	)	<b>Or in the alternative:</b>
Defendants.	)	<b>MOTION FOR SUBSTITUTED SERVICE</b>
	)	Case No. 2:11cv00558-CW-SA
	)	Judge Clark Waddoups
	)	Magistrate Judge Samuel Alba

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**ADDENDUM TO PLAINTIFF'S PROOF OF SERVICE OF SUMMONS AND  
COMPLAINT**

Plaintiff seeks to serve the Complaint and Summons on all seventeen Defendants:

Please incorporate Paragraph 9 of Defendant's "Notice of Removal." This Proof of

Summons serves as a response to that statement to ensure that all defendants are part of Plaintiff's cause of action.

I certify that I served a copy of the Complaint and Summons on the following defendants by mail, registered agent or commercial courier service that requires the defendant to sign a receipt and provides for return of that receipt to me.

The original document acknowledging receipt via registered agent is on file with the court.

Plaintiff made substantial effort to send a copy of Complaint and Summons to each individual defendant via Certified Mail, Restricted Delivery, but these copies were returned to Plaintiff with notification from U.S. Postal Service and Postmaster that Defendants noted below refused to claim the letters.

For those Defendants marked with a letter "A" next to their name, first attempt for delivery was made on June 8, 2011; second attempt was made on June 16, 2011; mail was returned, via hand-delivery by Postmaster, "returned to sender" on July 8, 2011.

For those Defendants marked with a letter "B" next to their name, first attempt for delivery was made on June 9, 2011; second attempt was made on June 21, 2011; mail was returned to the post office June 28, 2011; a note requiring Plaintiff to pick up mail was left on July 20, 2011 and July 26, 2011; Plaintiff picked up returned mail on July 28, 2011.

For those Defendants marked with a letter "C" next to their name, first attempt for delivery was made on June 9, 2011; second attempt was made on June 21, 2011; mail was returned to the post office June 28, 2011; a note requiring Plaintiff to pick up mail was left on July 24, 2011; Plaintiff picked up returned mail on July 28, 2011.

**MOTION FOR ORDER DECLARING ALL DEFENDANTS PROPERLY SERVED**

Plaintiff argues that Defendants intentionally refused delivery of Plaintiff's documents because Defendants knew what the documents were and did not want to accept them or were advised by counsel not to accept any correspondence from Plaintiff.

Plaintiff further argues that refusing delivery essentially put Defendants on notice of said action. After all, it is not common practice for a law school to refuse delivery of documents from their students unless they are told to do so.

The original documents acknowledging refusal of delivery are already on file with the court.

THEREFORE,

Plaintiff requests:

1. An order is entered certifying that proper service has been made against all defendants listed above;
2. An order is entered stating that no further action is necessary for proper service;
3. An order is entered stating that all defendants have been put on notice of Plaintiff's complaint and summons;
4. An order is entered stating that all defendants are therefore, proper defendants and are a party to this lawsuit.

OR IN THE ALTERNATIVE,

**MOTION FOR SUBSTITUTED SERVICE**

According to Utah Rules of Civil Procedure 4(d)(4), "If you cannot find the person to be served after using reasonable diligence, or if you can show the court that the person is avoiding

service, you can ask permission to serve the complaint and summons (or other document required to be served under URCP 4) by some other means.” Utah Rules of Civil Procedure 4 also permit “someone outside Utah to be served in the same way as someone in Utah, following URCP 4”.

Plaintiff avers that it is impractical to secure personal service of process in this cause of action upon Defendants, either by certified or registered mail or by delivery to Defendants in person because said Defendants, are refusing to accept any certified or registered mail for the purpose of evading service of process. Furthermore, Thomas Jefferson School of Law is Defendants’ usual place of business, which makes it highly unlikely that Defendants’ would not have received Plaintiff’s Complaint and Summons after three attempts.

Plaintiff avers that Defendants, Rudy Hasl, Jeffrey Joseph, Beth Kransberger, Eric Mitnick, Julie Garrett, Claire Wright, Joy Delman, Julie Cromer-Young, Arnold Rosenberg, Jane Larrington, Patrick Meyer, Lisa Ferreira, Jan Dauss, Lisa Chigos and All Members of the Ethics Committee of Thomas Jefferson School of Law 2006-2011 consciously avoided service of process. In a calculated manner, they avoided service of process four times: three times via certified mail and one time via registered agent found listed on the State of California’s Secretary of State’s website for finding registered agents.<http://kepler.sos.ca.gov/cbs.aspx> (last accessed May 6, 2011).

Specifically with regard to Jeff Joseph, confirmed in an email dated, May 27, 2011, he was put on notice of the lawsuit because he informed me that Plaintiff did not properly serve the other individuals named in the lawsuit. He cannot now claim no notice of the lawsuit. He also

contacted and retained attorney Robert Wilde, who is the defense attorney in the pending litigation.

Plaintiff contends that Defendants have purposely avoided service of process and that Plaintiff has more than satisfied the reasonable diligence standards required for alternative standards in getting all seventeen individual defendants served.

Therefore, Plaintiff requests any of the following methods be allowed as viable means for giving above named Defendants notice of Complaint and Summons:

1. Allow a copy of the complaint and summons to be issued via electronic email to the email address for each defendant as listed on their employer's website;
2. Direct attorney Robert Wilde to advise other defendants of complaint and summons and provide a copy of such to each;
3. Direct Jeffrey Joseph, General Counsel for Thomas Jefferson School of Law, who is already aware of this lawsuit to provide notice and advise other defendants of complaint and summons and provide a copy of such to each; and/or
4. Allow publication in the San Diego Reader, one of the most common newspapers in San Diego County and which is distributed to Thomas Jefferson School of Law on a daily basis.

Plaintiff further requests that the costs for attempting service via certified mail and certified agent be paid directly to her because defendants have purposely, and knowingly avoided service of process and, although Plaintiff has not requested a waiver of service as of yet, URCP 4(f) allows the court to impose on the defendants the costs incurred in effecting service.

Name	Address	Method	Date of Receipt
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Name	Address	Method	Date of Receipt
Thomas Jefferson School of Law, a California Corporation	1155 Island Avenue, San Diego, CA 92101	( )Certified Mail, Restricted Delivery  ( X) Registered Agent  ( ) Commercial Courier	5-25-2011 8:45 a.m.
Rudy Hasl "A"	1155 Island Avenue, San Diego, CA 92101	( x )Certified Mail, Restricted Delivery  ( X) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.

Jeffrey Joseph "C"	1155 Island Avenue, San Diego, CA 92101	(X )Certified Mail, Restricted Delivery  ( X) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Claire Wright "C"	1155 Island Avenue, San Diego, CA 92101	(X)Certified Mail, Restricted Delivery  ( X) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Joy Delman "A"	1155 Island Avenue, San Diego, CA 92101	( X )Certified Mail, Restricted Delivery	Returned to Plaintiff; Defendant refused to claim; several attempts made

		( X ) Registered Agent  ( ) Commercial Courier	5-25-2011 8:45 a.m.
Julie Cromer-Young "A"	1155 Island Avenue, San Diego, CA 92101	( X ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Julie Garrett "A"	1155 Island Avenue, San Diego, CA 92101	( ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Lisa Ferreira "B"	1155 Island Avenue, San Diego, CA 92101	(X ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Beth Kransberger "A"	1155 Island Avenue, San Diego, CA 92101	(X ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Jan Dauss "A"	1155 Island Avenue, San Diego, CA 92101	( ) Certified Mail, Restricted Delivery	Returned to Plaintiff; Defendant refused to claim; several attempts made

		( X ) Registered Agent  ( ) Commercial Courier	5-25-2011 8:45 a.m.
Patrick Meyer "A"	1155 Island Avenue, San Diego, CA 92101	( X ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Eric Mitnick "A"	1155 Island Avenue, San Diego, CA 92101	( X ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Arnold Rosenberg "A"	1155 Island Avenue, San Diego, CA 92101	( X ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Angela Bayne "A"	1155 Island Avenue, San Diego, CA 92101	( X ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  ( ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Jane Larrington "A"	1155 Island Avenue, San Diego, CA 92101	( X ) Certified Mail, Restricted Delivery	Returned to Plaintiff; Defendant refused to claim; several attempts made

		( X ) Registered Agent  (   ) Commercial Courier	5-25-2011 8:45 a.m.
Catherine Dean "A"	1155 Island Avenue, San Diego, CA 92101	( X ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  (   ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.
Lisa Chigos "A"	1155 Island Avenue, San Diego, CA 92101	( X ) Certified Mail, Restricted Delivery  ( X ) Registered Agent  (   ) Commercial Courier	Returned to Plaintiff; Defendant refused to claim; several attempts made  5-25-2011 8:45 a.m.

I have not included any non-public information in this document.

I declare under penalty of Utah Code Section 78B-5-705 that everything stated in this document is true and correct.

Date October 3, 2011

Sign here ►

Typed or printed name



Jesse Anne Majors

Delivery Certificate

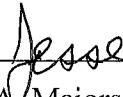
I hereby certify that I caused a true and correct copy of the foregoing to be served by the method(s) indicated below and addressed to the following on this 3rd day of October, 2011.

ROBERT H. WILDE #3466  
BRUCE M. FRANSON #10792  
ROBERT H. WILDE, ATTORNEY AT LAW, P.C.  
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bob@rhwildelaw.com  
*Attorneys for Defendants*

Delivered:

U.S. Mail, Postage Prepaid  
 Hand Delivered  
 Overnight Mail  
 Facsimile  
 E-mail  
 CM/ECF Posting

DATED this 3rd day of October, 2011.

  
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Jesse A. Majors

Pro Se